

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 20-1744-CFC-EGT
)	
WALMART INC. AND WAL-MART)	
STORES EAST, LP,)	
)	
Defendant.)	
)	

**STIPULATION AND [PROPOSED] ORDER
AUTHORIZING DISCLOSURE OF DELAWARE AGENCIES’
PREScriBER COMPLAINT AND INVESTIGATION FILES**

The Delaware Division of Professional Regulation (“DPR”), Delaware Board of Medical Licensure and Discipline (“DE BMLD”), and Delaware Office of Controlled Substances (“OCS”) (together, “DE Agencies”) and Defendants Walmart Inc. and Wal-Mart Stores East, LP (together, “Walmart”), pursuant to the Protective Order, paragraph 86, (D.I. 88) in the above-captioned action (this “Litigation”), respectfully submit this Stipulation and Proposed Order Authorizing Disclosure of Delaware Agencies’ Prescriber Complaint and Investigation Files.

WHEREAS, the DE Agencies investigate and maintain files regarding the licensing, registration, investigation, and discipline of medical doctors, which may include underlying patient medical records (the “Prescriber Files”), for the state of Delaware.

WHEREAS, Walmart served subpoenas on the DE Agencies on October 28 and 29, 2024, requesting, among other information, certain Prescriber Files.

WHEREAS, it is the DE Agencies’ position that Delaware law requires an Order from this Court to permit the disclosure of the Prescriber Files. *See* 16 Del. C. § 4798(k)-(l); 24 Del. C. § 1737; 29 Del. C. § 10002(o).

WHEREAS, the DE Agencies and Walmart recognize that the Prescriber Files may require specific handling and designation under the Protective Order.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, subject to the approval of this Court and pursuant to the Court's authority under Fed. R. Civ. P. 26(c), that:

1. The DE Agencies shall, consistent with the Protective Order, produce the Prescriber Files for Patrick Titus with respect to his expired medical license (# C1-0006175) and revoked controlled substance registration ("CSR") (# MD3949), including, to the extent available, (a) materials related to the issuance, renewal, suspension, and revocation of Titus's medical license and CSR, and (b) all complaint and investigation files related to any actual and potential disciplinary action against Titus, including but not limited to (i) all written and oral communications made by any person to any of the DE Agencies related to any such actual or potential disciplinary action, (ii) data, communications, and information acquired by any of the DE Agencies related to any such actual or potential disciplinary action, and (iii) all complaints, investigative reports, applicable underlying patient medical records, and investigator opinions related to any such actual or potential disciplinary action.
2. In accordance with the Protective Order, the DE Agencies shall designate the Prescriber Files as "Highly Confidential."

/s/ Eileen Kelly

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and Wal-Mart Stores East, LP*

Dated: May 12, 2025

SO ORDERED this _____ day of _____, 2025.

Honorable Eleanor G. Tennyson
United States Magistrate Judge